रजिस्ट्री सं० डी० 221 REGISTERED No. D. 221

भारत का राजपत्र
The Gazette of India

असाधारण
EXTRAORDINARY
भाग II—खण्ड 3—उपखण्ड (ii)
PART II—Section 3—Sub-section (ii)
प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं० 40] नई दिल्ली, सोमवार, फरवरी 5, 1968/माघ 16, 1889
No. 40] NEW DELHI, MONDAY, FEBRUARY 5, 1968/MAGHA 16, 1889

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF HOME AFFAIRS

NOTIFICATION

New Delhi, the 5th February 1968

S.O. 481.—In exercise of the powers conferred by section 21 of the Unlawful Activities (Prevention) Act, 1967 (37 of 1967), the Central Government hereby makes the following rules, namely:—

1. **Short title and commencement.**—(1) These rules may be called the Unlawful Activities (Prevention) Rules, 1968.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. **Definitions.**—In these rules, unless the context otherwise requires,—

(a) "the Act" means the Unlawful Activities (Prevention) Act, 1967 (37 of 1967);

(b) "section" means a section of the Act;

(c) words and expressions used in these rules but not defined, and defined in the Act, shall have the meanings respectively assigned to them in the Act.

3. **Tribunal and District Judge to follow rules of evidence.**—(1) In holding an inquiry under sub-section (3) of section 4 or disposing of any application under sub-section (4) of section 7 or sub-section (8) of section 8, the Tribunal or the District Judge, as the case may be, shall, subject to the provisions of sub-rule (2), follow, as far as practicable, the rules of evidence laid down in the Indian Evidence Act, 1872 (1 of 1872).

(2) Notwithstanding anything contained in the Indian Evidence Act, 1872, where any books of account or other documents are claimed by the Central Government to be of a confidential nature, the Tribunal or the Court of the District Judge shall not,—

(a) compel that Government to produce before it such books of account or other documents, or

(b) where any such books of account or other documents have been produced before it by that Government,—

(i) make such books of account or other documents a part of the records of the proceedings before it, or

(ii) give inspection of, or copy of the whole of, or any extract from, any such books of account or other documents to any party before it or to any other person.

4. **Additional modes of service of notification made under section 3.**—Without prejudice to the generality of the provisions of sub-section (4) of section 3, all or any of the following modes may also be followed in effecting service of a notification made under sub-section (1) of section 3, namely:—

(a) by making an announcement over the radio from the local or nearest broadcasting station of the All-India Radio, or

(b) by pasting the notification on the notice board of the office of the District Magistrate or the Tehsildar at the headquarters of the district or the tehsil, as the case may be, in which the principal office of the association affected is situated.

5. **Documents which should accompany a reference to the Tribunal.**—Every reference made to the Tribunal under sub-section (1) of section 4 shall be accompanied by—

(i) a copy of the notification made under sub-section (1) of section 3, and

(ii) all the facts on which the grounds specified in the said notification are based:

Provided that nothing in this rule shall require the Central Government to disclose any fact to the Tribunal which that Government considers against the public interest to disclose.

6. **Service of notice issued by the Tribunal.**—Every notice referred to in sub-section (2) of section 4 shall be served on the affected association in such manner as the Tribunal may think fit and all or any of the following modes may be followed by the Tribunal in effecting service of such notice, namely:—

(a) by affixing a copy of the notice to some conspicuous part of the office, if any, of the association; or

(b) by serving a copy of the notice, where possible, on the principal office bearers, if any, of the association, by registered post or otherwise; or

(c) by proclaiming by beat of drum or by means of loudspeakers the contents of the notification in the area in which the activities of the association are ordinarily carried on.

7. **Tribunal to have a seal.**—(1) The Tribunal shall have a seal of such dimensions and in such form as it may think fit.

(2) Every order made or notice issued by the Tribunal shall be authenticated by affixing its seal thereon.

8. **Tribunal to have a Registrar.**—(1) The Tribunal shall have a Registrar who shall be either a whole-time or part-time officer of the Government.

(2) The Registrar shall have the custody of the seal and the records of the Tribunal and shall exercise such other functions as may be assigned to him by the Tribunal.

9. **Reference to the Tribunal to be addressed to the Registrar.**—Every reference made to the Tribunal under section 4 shall be addressed and sent to the Registrar who shall, immediately after the receipt of such reference or as soon as possible thereafter, place the same before the Chairman for his orders.

[No. F. 22/1/68-Poll.I(A).]

On behalf and in the name of the President of India.

L. P. SINGH, Secy.

PRINTED IN INDIA BY THE GENERAL MANAGER, GOVERNMENT OF INDIA PRESS, NEW DELHI AND PUBLISHED BY THE MANAGER OF PUBLICATIONS, DELHI, 1968